CONCEALED PISTOL LICENSE INFORMATION

The following is information required to be provided to an applicant for a concealed pistol license. A complete copy of this law is available at your local library or on the Internet at: http://www.michigan.gov/msp. A copy of the firearms laws of this state shall be furnished upon filing an application.

REQUIREMENTS TO OBTAIN A CONCEALED PISTOL LICENSE

State Requirements

- 1. 21 years of age or older
- 2. Citizen of the United States or an alien lawfully admitted into the United States
- 3. Resident of Michigan for not less than six months
- 4. Successful completion of a pistol safety training course
- 5. Not subject to an order or disposition for any of the following:

Mental health order

Legally incapacitated

Involuntary hospitalization

Found not guilty by reason of insanity

- 6. Not subject to a conditional bond release where firearm possession is prohibited
- 7. Not subject to a Personal Protection Order
- 8. Not prohibited by MCL 750.224f (felon in possession of a firearm)
- 9. Has never been convicted of a felony in Michigan or elsewhere
- 10. Has no felony charge pending in Michigan or elsewhere
- 11. Has not been dishonorably discharged from the United States Armed Forces
- 12. Has not been convicted of one of the following misdemeanors in the 8 years immediately preceding the date of application:

Failing to stop when involved in a personal injury accident, MCL 257.617a

Operating while intoxicated, second offense, MCL 257.625, punishable as provided in subsection (9)(b)

Drunk driving, commercial vehicle, MCL 257.625m punishable under subsection (4) of that section

Reckless driving, MCL 257.626

Driving while license suspended or revoked, MCL 257.904 punishable as a second or subsequent offense.

Operating aircraft while under the influence of intoxicating liquor or a controlled substance with prior conviction, MCL 259.185

Hindering or obstructing certain persons performing official weights and measures duties, MCL 290.629

Hindering, obstructing, assaulting, or committing bodily injury upon director or authorized representative, MCL 290.650

Operating ORV under the influence of intoxicating liquor or a controlled substance, second or subsequent offense, MCL 324.81134, punishable under subsection (5) or (6) of that section

Operating a snowmobile under the influence of intoxicating liquor or a controlled substance, MCL 324.82127 punishable as a second or subsequent offense under section 82128(1)(b) or (c) of the natural resources and environmental protection act, 1994 PA 451, MCL324.82128.

Operating vessel under the influence of intoxicating liquor or a controlled substance, second or subsequent offense). 324.80176 punishable under section 80177(1)(b)

Knowingly or intentionally possessing controlled substance, controlled substance analogue, or prescription form, MCL 333.7403.

Operating locomotive under the influence of intoxicating liquor or a controlled substance, or while visibly impaired, MCL 462.353 punishable under subsection (4) of that section.

Displaying sexually explicit matter to minors, MCL 722.677

Assault or domestic assault, MCL 750.81

Aggravated assault or aggravated domestic assault, MCL 750.81a

Entering without breaking, MCL 750.115

Fourth degree child abuse, MCL 750.136b

Accosting, enticing, or soliciting a child for immoral purposes, MCL 750.145a

Vulnerable adult abuse, MCL 750.145n

Solicitation to commit a felony, MCL 750.157b

Impersonating peace officer or medical examiner, MCL 750.215

Illegal sale of a firearm or ammunition, MCL 750.223

Illegal sale of a self-defense spray, MCL 750.224d

Sale or possession of a switchblade, MCL 750.226a

Improper transportation of a loaded firearm, MCL 750.227c

Failure to have a pistol inspected, MCL 750.228

Accepting a pistol in pawn, MCL 750.229

Failure to register the purchase of a firearm or a firearm component, MCL 750.232

Improperly obtaining a pistol, making a false statement on an application to purchase a pistol, or using false Identification to purchase a pistol, MCL 750.232a

Intentionally aiming a firearm without malice, MCL 750.233

Intentionally discharging a firearm aimed without malice, MCL 750.234

Possessing a firearm on prohibited premises, MCL 750.234d

Brandishing a firearm in public, MCL 750.234e

Possession of a firearm by an individual less than 18 years of age, MCL 750.234f

Intentionally discharging a firearm aimed without malice causing injury, MCL 750.235

Parent of a minor who possessed a firearm in a weapon free school zone, MCL 750.235a

Setting a spring gun or other device, MCL 750.236

Possessing a firearm while under the influence of intoxicating liquor or a drug, MCL 750.237

Weapon free school zone violation, MCL 750.237a

Indecent exposure, MCL 750.335a

Stalking, MCL 750.411h

Reckless, careless, or negligent use of a firearm resulting in injury or death, MCL 752.861

Careless, reckless, or negligent use of a firearm resulting in property damage, MCL 752.862

Reckless discharge of a firearm, MCL 752.863a

Violation of a law of the United States, another state, or a local unit of government of this state or another state substantially corresponding to a violation described above

13. Has not been convicted of one of the following misdemeanors in the 3 years immediately preceding the date of application:

Operating under the influence, MCL 257.625

Refusal of commercial vehicle driver to submit to a chemical test, MCL 257.625a

Negligently fails to comply, MCL 257.625k

Circumventing an ignition interlocking device, MCL 257.6251

Operating a commercial vehicle with alcohol content, MCL 257.625m, punishable under subsection (3) of that section

Operating aircraft under the influence, MCL 259.185

Operating ORV under the influence, MCL 324.81134

Operating ORV while visibly impaired, MCL 324.81135

Operating a snowmobile under the influence, MCL 324.82127

Controlled substances, MCL 333.7401 to 333.7461

Operating locomotive under the influence, MCL 462.353 punishable under subsection (3) of that section.

Disorderly person, MCL 750.167

Embezzlement, MCL 750.174

False pretenses, MCL 750.218

Larceny, MCL 750.356

Retail fraud, MCL 750.356d

Larceny-vacant building, MCL 750.359

Larceny by conversion, MCL 750.362

Defrauding lessor, MCL 750.362a

Malicious destruction of property, MCL 750.377a

Malicious destruction of real property, MCL 750.380

Failure to obey police direction, MCL 750.479a

Receiving stolen property, MCL 750.535

Malicious use of telephones, MCL 750.540e

Violation of a law of the United States, another state, or a local unit of government of this state or another state substantially corresponding to a violation described above

- 14. The applicant has not been found guilty but mentally ill of any crime and has not offered a plea of not guilty of, or been acquitted of, any crime by reason of insanity.
- 15. The applicant has never been subject to an order of involuntary commitment due to a mental illness.
- 16. The applicant does not have a diagnosed mental illness at the time the application is made regardless of whether he or she is receiving treatment.
- 17. The applicant is not under a court order of legal incapacity in this state or elsewhere.

Federal Requirements

- 1. Not convicted in any court of, or under indictment for, a crime punishable by imprisonment for a term exceeding one year (i.e. felony, or any misdemeanor punishable by more than 2 years)
- 2. Not a fugitive of justice
- 3. Not an unlawful user of, or addicted to, any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802))
- 4. Not adjudicated as a mental defective or who has been committed to a mental institution
- 5. Not an alien who is illegally or unlawfully in the United States
- 6. Not discharged from the Armed Forces under dishonorable conditions
- 7. Not renounced his/her citizenship

- 8. Not subject to a court order prohibiting harassing, stalking, or threatening an intimate partner or child of such intimate partner or from engaging in other conduct that would place the partner or child in reasonable fear of bodily injury
- 9. Not convicted in any court of a misdemeanor crime of domestic violence.

 (See misdemeanor crimes above. The applicant is prohibited for the time periods designated in the misdemeanors above that have the element of domestic violence; i.e. 3 or 8 years.)

APPLICATION PROCESS

- 1. The applicant must file his/her application with the county clerk in the county in which the individual resides. The applicant must also:
 - A. Present the original certificate of completion of the pistol safety training course. The county clerk will make a copy of the certificate at the time the application is submitted. Certificates issued beginning October 1, 2004, shall contain the statement, "This course complies with section 5j of 1927 PA 372." For a renewal of a license issued after July 1, 2001, the applicant must sign a statement certifying that he or she has completed at least 3 hours of review of the required training and have had at least 1 hour of firing range time in the last 6 months preceding this application.
 - B. Include a passport quality photograph.
 - C. Pay all applicable fees. For all applications there is a \$105 fee payable to the county clerk. The county clerk will provide a receipt for payment of fees.
- 2. The applicant shall bring the receipt for payment to the sheriff's department for fingerprinting. An applicant may have his or her fingerprints taken at a local police agency; however, an additional charge may be assessed by the local agency. If the sheriff's department participates with a vendor for fingerprinting, the county clerk will provide additional instructions.
- 3. The county sheriff or local law enforcement agency will fingerprint the applicant and forward the fingerprints to the Michigan State Police for processing.
- 4. Once the county gun board receives the fingerprint comparison report, they shall issue or deny the license within 45 days. Please note, however, that the entire application process may take several months.
- 5. The county clerk may require that all licenses be signed in the presence of the county clerk prior to receiving the license.

PISTOL SAFETY TRAINING COURSE

Those required to take the Pistol Safety training course include:

- 1. All new applicants.
- 2. Those who had a concealed pistol license (general or restricted) prior to July 1, 2001, and are renewing for the first time under the new statute.

The educational requirements are waived for an applicant who is a retired police officer or a retired law enforcement officer. The county gun board may require a letter from the employer that the applicant retired from his or her employment in good standing as a police officer or law enforcement officer. Attorney General Opinion 7182 defines the terms "retired police officer" or "retired law enforcement officer," to mean "a certified police officer or law enforcement officer who retired in good standing from his or her employment as a police or law enforcement officer and who is receiving a retirement benefit." Additionally, the Act defines the terms "retired police officer" or "law enforcement officer" to mean "an individual who was a certified police officer or certified law enforcement officer as those terms are defined under section 2(k) of the commission on the law enforcement standards act, 1965 203, MCL 28.602, and retired in good standing from his or her employment as a police officer or law enforcement officer."

The training required under this Act must be a program certified by this state or a national or state firearms training organization and provides instruction in at least all of the following:

- The safe storage, use, and handling of a pistol
- Ammunition knowledge and the fundamentals of pistol shooting
- Pistol shooting positions
- Firearms and the law, including civil liability issues and the use of deadly force
- Avoiding criminal attack and controlling a violent confrontation
- All laws that apply to carrying a concealed pistol in this state
- At least 5 hours of instruction, and 3 hours of range time, which requires firing at least 30 rounds of ammunition

The instructor must be certified by this state or a national organization and trained in the use of deadly force. The instructor must provide a signed certificate of completion to the applicant stating that the individual successfully completed the course, and must

Passport Photo standards: Taken alone, sufficiently recent to be a good likeness (normally taken within the last 6 months), with an image size from bottom of chin to top of head (including hair) of between 1 and 1 3/8 inches. Photo must be clear, front view, full face, taken in normal street attire without a hat or dark glasses with a white or off-white background. They must be capable of withstanding a mounting temperature of 225° Fahrenheit (107° Celsius). Snapshots, most vending machine prints, and magazine or full-length photographs are unacceptable.

contain the printed name and signature of the instructor. The certificate shall contain the statement "This course complies with section 5j of 1927 PA 372."

The following organizations are currently offering Certified Pistol Safety Training courses:

Michigan Commission on Law Enforcement Standards (MCOLES)

www.mcoles.org or (517) 322-6525

National Rifle Association (NRA)

www.nrahq.org/safety/education or (703) 267-1430

Michigan Coalition for Responsible Gun Owners (MCRGO)

www.mcrgo.org or (517) 484-2746

This list is not an all-inclusive list of certified instructors or facilities. An applicant may wish to contact his or her county gun board to inquire about other certified instructors or sites.

The county gun board may wish to confirm the validity of a certificate of completion by confirming the instructor's certification with the organization that provided certification.

A person who either, grants a certificate of completion to an individual knowing the individual did not satisfactorily complete the course, or presents a certificate of completion to a gun board knowing the individual did not satisfactorily complete the course, is guilty of a felony punishable by 4 years in prison and/or a \$2,500 fine.

CONCEALED PISTOL LICENSE RENEWAL INFORMATION

- 1. A license to carry a concealed pistol is valid until the applicant's date of birth that falls not less than four years, or more than five years, after the license is issued.
- The concealed weapon license board shall issue or deny issuance of a renewal license within 60 days after the application for renewal is properly submitted. The county clerk shall issue the applicant a receipt for his or her renewal application at the time the application is submitted. The receipt shall contain all of the following:
 - Name of the applicant
 - Date and time the receipt is issued
 - The amount paid
 - A statement that the receipt is for a license renewal
 - A statement of whether the applicant qualifies for an extension under #4 below
 - The name of the county in which the receipt is issued
 - An impression of the county seal
- 3. If the concealed weapon licensing board fails to deny or issue a renewal license to the person within 60 days of the date of application, the expiration date of the current license is extended by 180 days or until the renewal license is issued, whichever occurs first. The extension does not apply unless the person pays the renewal fee at the time the renewal application is submitted and the person has submitted a receipt from a police agency that confirms that the background check has been requested by the applicant.
- 4. A person carrying a concealed pistol after the expiration date of his or her license pursuant to an extension under #3 above, shall keep the receipt issued by the county clerk and his or her expired license in his or her possession at all times that he or she is carrying the pistol. For the purposes of this act, the receipt is considered to be part of the license to carry a concealed pistol until a renewal license is issued or denied. Failing to have the receipt and expired license in possession while carrying a concealed pistol or failing to display the receipt to a peace officer upon request is a violation of this act.
- 5. An application is considered a renewal if the applicant has received a concealed pistol license under compliance of the training requirements set forth in the Act after July 1, 2001. A concealed pistol license is renewed in the same manner as the original license, which may include fingerprints (see Application Information).
- An applicant applying for a renewal is not required to have fingerprints taken again if the applicant's fingerprints have been submitted to and maintained by the Department of State Police. Fingerprints have been maintained since January 1, 2006. If fingerprints were submitted prior to this date the applicant applying for renewal does not qualify for this exemption. For renewal applicants that do qualify, the county clerk will provide further instructions.
- 7. For an individual licensed after July 1, 2001, and subsequently applying for a renewal, completion of a pistol safety training course is not required. However, the applicant shall sign the statement on the application certifying that he/she has completed at least three (3) hours of review of the pistol safety training course and has had at least 1 hour of firing range time in the 6 months immediately preceding the renewal application. Exception: The training requirements are waived for an individual who is a retired police officer or retired law enforcement officer. The county gun board may require a letter stating that the officer retired in good standing.
- 8. If there is a lapse between the previous license and the issuance of a new license, the individual has no right to carry a concealed pistol during that time lapse, other than the extension described in #3 above.
- 9. An individual licensed to carry a concealed pistol may carry the concealed pistol under that license until the license expires or the individual's authority to carry the concealed pistol is otherwise terminated, whichever comes first.

CONCEALED WEAPON LICENSING BOARD

Each county shall have a gun board consisting of the sheriff or his/her designee, the director of the state police or his/her designee, and the prosecuting attorney or his/her designee. The prosecutor may opt out, and the county board of commissioners will appoint a replacement. The replacement must be a certified firearm instructor. Certification must be by a state or national firearms program.

The board shall either issue or deny the license within 45 days after the board receives the fingerprint comparison report.

The board shall not issue a license if they determine that issuing the license would be detrimental to the safety of the applicant or any other individual. This determination shall be based on clear and convincing evidence of civil infractions, crimes, personal protection orders or injunctions, police reports or other evidence, or the applicant's statements that bear directly on the applicant's ability to carry a concealed pistol.

TEMPORARY LICENSES

There are two instances where a concealed weapon licensing board may issue a temporary license:

- If the board determines that there is probable cause to believe the safety of the applicant or a member of their family is endangered by the inability to immediately obtain a license to carry a pistol, a temporary license may be issued, valid for up to 180 days. This temporary license may be renewed for one additional 180-day period. For new residents, the concealed weapon licensing board may waive the 6-month residency requirement.
- 2. If the fingerprint report is not received by the board within 60 days from the time the state police received the report from the FBI, the board shall issue a temporary license if the applicant is otherwise qualified for a license. The license is valid for 180 days or until the report is received, and a license is either issued or denied. Upon issuance or denial of the license to carry a concealed pistol, the applicant shall immediately surrender the temporary license to the concealed weapon licensing board that issued the temporary license.

DENIALS

If the concealed weapon licensing board denies issuance of a license, the board must inform the applicant within 5 business days, in writing, the reasons for the denial, along with a statement of the specific facts and copies of documentary evidence upon which the denial is based. The applicant must also be informed of his or her right to appeal the denial to the circuit court in the judicial circuit in which he or she resides.

APPEALS

If the concealed weapon licensing board denies issuance of a license to carry a concealed pistol, or fails to issue that license as provided for in the Act, the applicant may appeal the denial or the failure to issue the license to the circuit court in the judicial circuit in which he or she resides. The appeal of the denial or failure to issue a license shall be determined by a review of the record for error. There may be a hearing if the decision of the concealed weapon license board was based on the grounds that issuing a license to the applicant is detrimental to the safety of the applicant or to any other individual. Witnesses in the hearing shall be sworn. A jury shall not be provided.

If the circuit court determines that the denial or failure to issue a license was clearly erroneous, the court shall order the concealed weapon licensing board to issue a license as required by this act.

If the court determines that the decision of the concealed weapon licensing board to deny issuance of a license to an applicant was arbitrary and capricious, the court shall order this state to pay 1/3 and the county in which the concealed weapon licensing board is located to pay 2/3 of the actual costs and actual attorney fees of the applicant in appealing the denial.

If the court determines that an applicant's appeal was frivolous, the court shall order the applicant to pay the actual costs and actual attorney fees of the concealed weapon licensing board in responding to the appeal.

PURCHASING A PISTOL

A person who is issued a concealed pistol license after July 1, 2001, is not required to obtain a license to purchase prior to purchasing a pistol. However, the purchaser is required to present the pistol to their local law enforcement agency to have the pistol inspected. The law enforcement agency is required to register the pistol with the Michigan State Police.

In addition, if the purchaser has a concealed pistol license in lieu of a purchase permit, the seller must complete a pistol sales record. These forms are available at local police or sheriff departments, or from the Michigan State Police web site at http://www.michigan.gov/msp. The seller keeps one copy of the form, the purchaser keeps one copy, and a third copy is sent to Michigan State Police, Firearms Records Unit, 7150 Harris Drive, Lansing, MI 48913.

REPONSIBILITIES WHILE CARRYING

A concealed pistol licensee, who is carrying a pistol concealed, must:

- Have his/her concealed pistol license in possession at all times.
- Immediately disclose to a peace officer, if stopped, that he or she is carrying a concealed pistol.
- Display his/her concealed pistol license to a peace officer upon request.
- Display his/her driver license or Michigan personal identification card upon request.
- A concealed pistol license holder shall not carry a concealed pistol while under the influence of alcohol or a controlled substance or while having an unlawful bodily alcohol content. However, a licensee who has consumed alcohol can legally transport a pistol if the pistol is in a locked trunk or locked compartment or container that is separated from the ammunition for that pistol.

For more information on encounters with police, please refer to the MSP web site at http://www.michigan.gov/msp

PISTOL-FREE ZONES

All concealed pistol licenses issued after July 1, 2001, are unrestricted. However, licensees are prohibited from carrying a pistol in the following places:

- A school or school property except that a parent or legal guardian of a student of the school is not precluded from carrying a concealed pistol while in a vehicle on school property while dropping off or picking up a student.
- A private or public childcare center or day care center, child caring institution or child placing agency.
- A sports arena or stadium.
- A tavern where the primary source of income is the sale of alcoholic liquor by the glass consumed on the premises.
- Any property or facility owned or operated by a church, synagogue, mosque, temple or other place of worship, unless the presiding officials permit the carrying on the property.
- An entertainment facility, with a seating capacity of 2,500 or more individuals, that the individual knows or should know has a seating capacity of 2,500 or more or that has a sign above each public entrance stating that the seating is 2,500 or more.
- A hospital.
- A dorm or classroom of a college or university.
- Premises does not include parking areas of the above places.
- A pistol also cannot be carried in violation of the Gaming Control and Revenue Act.

Pistol free zones do not apply to any of the following:

- A licensee who is a retired police officer or retired law enforcement officer. The concealed weapon licensing board may require
 a letter from the law enforcement agency stating that the retired police officer or law enforcement officer retired in good
 standing.
- An individual who is licensed as a private investigator or private detective under the private detective license Act, 1965 PA 285, MCL 338.821 to 338.851.

Concealed Pistol License Application

OFFICIAL USE ONLY Approval/Issue Date: Expiration Date:

RI-12 (1/07)

MICHIGAN STATE POLICE
PLEASE TYPE OR PRINT CLEARLY

1. Full Legal Name 2				2. Date of Birth			
3. Previous Names/Alias, if applicable							
		5. Driver License I	. Driver License Number or State ID Number				
•		\\/a:ah4	ight Hair Color Eye Color				
6. Physical Race Description	Weight	Hair Color	Еуе С	olor			
7. Residential Address	8. Mailing Address	Mailing Address (if different)					
9. Daytime Telephone 10. Name of Police Department in the City, Village, or 11. Are you a U.S. Citizen?] No	
Number Township of Residence, if applicab			Are you a Legal Alien?				
12. Type of	y □ □ Renewal New Expiration Date Issue Date	range time in the last 6 months pre			least 1 hour of firing		
Temporary License)	County of Issuance CCW #	_	Signature	·	Date		
13. Check Yes or No for each of the following questions.							
a. Have you ever been convicted of a felony in this state or elsewhere?					□Yes	□No	
b. Do you have a felony charge pending in this state or elsewhere?					□Yes	□No	
C. Have you been convicted of any misdemeanor listed on the CCW Information Sheet in the last eight years preceding this application? If yes, please explain on the reverse side of this application.					□Yes	□No	
d. Do you have a personal protection order against you, or been released by a judge or a court subject to protective conditions? e. Have you ever been found quilty but mentally ill of any crime and offered a plea of not quilty of, or been acquitted of, any crime					□Yes	□ No	
by reason of insanity?							
f. Have you ever been subject to an order of involuntary commitment in an inpatient or outpatient setting due to a mental illness?					□Yes	□ No	
g. Do you have a diagnosed mental illness at the time this application is made, regardless of whether you are receiving treatmen for that illness?					□ Yes	□ No	
h. Are you under a court order of legal incapacity in this state or elsewhere?					☐ Yes	□ No	
i. Have you ever been dishonorably discharged from the U.S. Armed Forces?					☐ Yes	□ No	
j. Have you completed the training required for a new Concealed Pistol License (<u>original</u> documentation must be submitted with the application) OR have you certified above that you have completed the required review and firing range time for a Renewal of your license?					□ Yes	□ No	
k. Are you a retired peace officer or law enforcement officer? (If yes, please see Pistol Safety Training Course in the instructions.)					□ Yes	□ No	
 Are you a private investigator or private detective licensed under the Private Detective License Act, PA 285 of 1965? If yes, you must present your license to the county clerk. 					□ Yes	□ No	
14. Please provide the names, addresses, and telephone numbers of two references. Reference 1 Name Reference 2 Name							
Residential Address	Residential Ad	Residential Address					
City Zip	Telephone Number	City	Zip	Teleph	one Numb	er	
15. Read the following statements and, if you agree, sign below at the time of submission with the clerk.							
♦ I have read the information provided on carrying a concealed pistol and meet all of the criteria for a Concealed Pistol License under Public Act 372 of 1927, as amended.							
♦ I give authority to the Concealed Weapons Licensing Board to access any record, including medical records, pertaining to my qualifications under this Act.							
 I give authority to the Concealed Weapons Licensing Board to access any mental health records. (I understand I may request any finding be reviewed by the board in a closed session, at which my attorney and I may be present.) I understand that this application is executed under oath and swear or affirm under penalty of law that the above answers are true and correct to the best of my knowledge. I understand that intentionally making a false statement on the application is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,500, or both. I have been provided with a copy of the Compilation of the Firearms Laws of the State of Michigan. 							
Applicant's Signature (Must be signed in the presence of county clerk or representative)				Date			
Witness (County clerk or representative)				Date			